<u>REMARKS</u>

The present application has been reviewed in light of the Office Action dated October 31, 2008. Claims 1-13, 15, and 17 are presented for examination, of which Claims 1, 2, 6, 9, 12, and 13 are in independent form. Claims 1, 2, 6, 9, 12, and 13 have been amended to define aspects of Applicant's invention more clearly. Favorable consideration is requested.

The Office Action states that Claims 1, 2, 4-9, 11-13, 15, and 17 are rejected under 35 U.S.C. § 103(a) as being anticipated by U.S. Patent Publication No. 2004/0019671 (*Metz*) in view of U.S. Patent No. 6,122,639 (*Babu et al.*); and that Claims 3 and 10 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Metz* in view of *Babu et al.*, and further in view of U.S. Patent No. 6,349,304 (*Bolt et al.*) For at least the following reasons, Applicant submits that independent Claims 1, 2, 6, 9, 12, and 13, together with the claims dependent therefrom, are patentably distinct from the cited prior art.

The aspect of the present invention set forth in Claim 1 is directed to a network device managing apparatus that receives a search request transmitted from a data processing apparatus, performs a search for network devices in response to receiving the search request, and transmits a device list indicating the network devices found by performing the search to the data processing apparatus. The network device managing apparatus includes: a storage unit, a receiving unit, a searching unit, an obtaining unit, a comparing unit, a forming unit, and a transmitting unit. The storage unit stores the device list indicating the network devices found by performing the search. The device list is stored in association with identification information identifying the data processing apparatus that transmitted the search request. The receiving unit receives, from the data processing apparatus, a new search request for a new search for network

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devices, and the identification information identifying the data processing apparatus transmitting the new search request. The searching unit performs a new search for network devices in response to the new search request received by the receiving unit. The obtaining unit obtains, from among device lists stored in the storage unit and uses the received identification information as a key, where the device list is associated with the received identification information. The obtained device list indicates a search result obtained in a search performed prior to performing the new search by the searching unit. The comparing unit compares a new search result provided by the searching unit with the device list obtained by the obtaining unit. The forming unit specifies any network devices found by performing the new search by the searching unit but not present in the device list obtained by the obtaining unit, and forms a new device list in which such specified network devices are emphasized among network devices found by performing the new search. The transmitting unit transmits the new device list formed by the forming unit to the data processing apparatus.

Notable features of Claim 1 are that the storage unit stores the device list indicating the network devices found by performing the search, where the device list is stored in association with identification information identifying the data processing apparatus, and that the obtaining unit obtains, from among device lists stored in the storage unit and uses the received identification information as a key, where the device list is associated with the received identification information, and the obtained device list indicates a search result obtained in a search performed prior to performing the new search by the searching unit. By virtue of these features, a server may store a plurality of device lists, each associated with a different client that has requested a search, and, when a new search is requested by a particular client, a new device

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list that is updated based on a previous search performed on behalf of that client can be returned, for example.[1]

Metz relates to network administration of printing devices. Apparently, Metz teaches that a network management tool can search a network and generate a main device list that includes information, including a hardware address and an IP address, regarding all printing devices on the network, and that the main device list can be updated each time a new printing device is discovered (see paragraphs 32-33). However, Metz is silent regarding storing and obtaining a device list in association with information identifying a data processing apparatus that transmitted a particular search request for printing devices. That is, the hardware addresses and IP addresses stored in the device list are those of printing devices found on the network, and not of a device that transmitted a search request.

Babu et al. relates to collecting, detecting changes in, reporting on, and managing network device information. Apparently, Babu et al. teaches that a change detection mechanism can generate a report containing change information, and that database updates can be found during a database key comparison phase of the change detection mechanism (col. 15, lines 7-10, and lines 28-30). Babu et al. discusses that a comparison can be performed to detect changes in a device's configuration, and that such changes can be stored in a change table of a database (col. 15, lines 41-45). Babu et al. also discusses that column names displayed by the changed mechanism can be consistent with column names or labels displayed by an application program that defined them, which allows the change detection mechanism to work with any database table,

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[1] The example(s) presented herein are intended for illustrative purposes only. Any details presented in the illustrative example(s) should not be construed to be limitations on the claims.

independent of the column layout of such table, and that a UI_Label_ID value can store a label for a column that is more descriptive than a typical database column name (col. 14, lines 19-26). However, *Babu et al.* is silent regarding storing and obtaining a device list in association with information identifying a data processing apparatus that transmitted a particular search request for network devices.

Applicant submits that a combination of *Metz* and *Babu et al.*, assuming such combination would even be permissible, would fail to teach or suggest a network device managing apparatus that includes "a storage unit adapted to store the device list indicating the network devices found by performing the search, the device list being stored in association with identification information identifying the data processing apparatus that transmitted the search request," and "an obtaining unit adapted to obtain, from among device lists stored in the storage unit and using the received identification information as a key, the device list associated with the received identification information, the obtained device list indicating a search result obtained in a search performed prior to performing the new search by the searching unit," as recited in Claim 1. Accordingly, Applicant submits that Claim 1 is patentable over the cited art, and respectfully requests withdrawal of the rejection under 35 U.S.C. § 103(a).

Independent Claims 2, 6, 9, 12, and 13 include features similar to those of Claim 1, and are believed to be patentable for at least the reasons discussed above. The other claims in the present application depend from one or another of independent Claims 1, 2, 6, 9, 12, and 13 discussed above and, therefore, are submitted to be patentable for at least the same reasons. Because each dependent claim also is deemed to define an additional aspect of the invention,

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individual consideration of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable consideration and an early passage to issue of the present application.

Applicant's undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

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